

1 plus the \$52 administrative fee. As such, he does not qualify for IFP status and must pay the full
2 filing fee. (ECF No. 10.) Plaintiff has filed an objection to that report and recommendation which
3 is pending before Chief District Judge Du. (ECF No. 11.)

4 Plaintiff subsequently filed a fourth application to proceed IFP. (ECF No. 12.) In his
5 fourth IFP application, Plaintiff includes a financial certificate dated *December 21, 2021*, over
6 six months ago, which lists an account balance of \$0.40. An inmate's IFP application must
7 contain a financial certificate from the prison "certifying the amount of funds *currently* held in
8 the applicant's trust account at the institution and the net deposits in the applicant's account for
9 the six months prior to the date of submission of the application." LSR 1-2; *see also* 28 U.S.C. §
10 1915(a)(2) (emphasis added). Plaintiff's financial certificate from December 2021 does not show
11 his *current* account balance or his average balance and deposits for the past six months.

12 Therefore, Plaintiff's fourth IFP application (ECF No. 12) should also be **DENIED**.

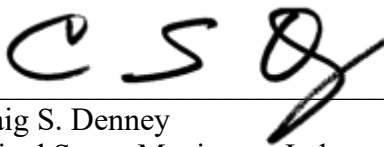
13 It appears Plaintiff is trying to skirt the court's prior recommendations that his IFP
14 applications be denied because the amount of funds in his account currently make him ineligible
15 for IFP status. Plaintiff's IFP determination must be made on his current account status.

16 Plaintiff should be aware of the following:

17 1. That he may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
18 this Report and Recommendation within fourteen days of being served with a copy of the Report
19 and Recommendation. These objections should be titled "Objections to Magistrate Judge's
20 Report and Recommendation" and should be accompanied by points and authorities for
21 consideration by the district judge.

1 2. That this Report and Recommendation is not an appealable order and that any notice of
2 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed
3 until entry of judgment by the district court.

4
5 Dated: July 7, 2022

6 
7 _____
8 Craig S. Denney
9 United States Magistrate Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23